

HOUSE No. 4327

Message from His Excellency the Governor recommending legislation relative to authorizing the exchange of land in the town of Rockland. July 25, 2012.

The Commonwealth of Massachusetts



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

EXECUTIVE DEPARTMENT
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July 24, 2012.

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as amended by Article LXXXIX, I am filing for your consideration the attached legislation entitled, "An Act Authorizing the Exchange of Land in the Town of Rockland."

The Rockland Board of Selectmen and Representative Nyman have requested that I file this special Article 97 legislation on behalf of the Town to permit the transfer of land from the Town's Parks Department to its Board of Selectmen for the construction of a long-planned senior center. The land transfer contemplated by this legislation will not be valid if the land is used for any purpose other than the construction of a municipal senior center. Moreover, the Town is required to transfer a parcel of land, currently under the control of the Board of Selectmen and dedicated for general municipal purposes, of equal or greater value to the Conservation Commission, Parks Department or Water Department for conservation or recreational purposes. As such, this legislation satisfies the no-net-loss policy applied to Article 97 legislation.

I urge your early and favorable consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,
Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve.

AN ACT AUTHORIZING THE EXCHANGE OF LAND IN THE TOWN OF ROCKLAND.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The town of Rockland may transfer the care, custody, management and control of a
2 certain parcel of land, approximately 1.61 acres known as the “Plain Street Lot” currently held for
3 recreational purposes, from the Parks Department, to the Board of Selectmen, to be used for
4 construction as a Municipal Senior Center. This parcel is a portion of the Memorial Park Property
5 denoted as Map 39 parcel 197 on the Town of Rockland Assessors Maps.

6 SECTION 2. As a condition of the conveyance authorized in section 1, the town of Rockland shall
7 transfer a parcel of land under the care, custody, management and control of the Board of Selectmen
8 and dedicated for general municipal purposes to the Conservation Commission, Parks Department, or
9 the Water Department or District and such parcel shall be dedicated for conservation purposes. If no
10 suitable parcel can be transferred for conservation purposes, the town shall acquire a parcel of land or
11 a conservation restriction upon private or public land as defined by section 31 of chapter 184 of the
12 general laws. Such land shall be dedicated or restricted to conservation purposes and under the
13 jurisdiction of the Conservation Commission, Parks Department or the Water Department or District.
14 The parcel dedicated pursuant to this section, shall be of equal or greater size and value for
15 conservation, park ,or water supply purposes when compared to the parcel described in section 1.

16 SECTION 3. No document transferring care, custody, control or management of any portion of the
17 property described in section 1 shall be valid unless used for the construction of a municipal senior
18 center as described in section 1. This document shall include a reversionary clause that stipulates that

19 the property will revert to the Rockland Parks Department for public recreation purposes if the
20 property ceases to be used for the express purposes for which it was transferred.

21 SECTION 4. This act shall take effect on upon its passage.